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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,162	09/03/2003	Hans Stattin	P17538US2	4282

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ERICSSON INC.  
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EXAMINER

BHATTACHARYA, SAM

ART UNIT PAPER NUMBER

2688

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/654,162

Applicant(s)

STATIN ET AL.

Examiner

Sam Bhattacharya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-16 is/are allowed.
- 6) ☒ Claim(s) 1-6, 10 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 10 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bongfeldt et al. (US 2004/0097189) in view of Vilhonen (US 2003/0053569).

Regarding claims 1, 4 and 5, Bongfeldt discloses an apparatus for monitoring one or more supported systems using a wireless device with respect to which the wireless device is in an idle mode while the wireless device is in a connected mode with respect to another supported system (due to switching of diplexer 72), the apparatus including: an air (wireless) interface from port 64; and a circuit, the circuit including a connection to the air interface, and a plurality of connections to the access means, the circuit providing a low attenuation between the air interface connection and a connection of the plurality of connections to the access means associated with a supported system with respect to which the wireless device is in a connected mode, the circuit further including means for setting the circuit to at least two states (by uplink and downlink AGC control 74 and 82, wherein each of the at least two states provides a different attenuation between the air interface connection and one of the plurality of connections to the access means. See FIG. 4 and paragraphs [0067] and [0073].

Bongfeldt fails to disclose that the access means includes at least two access means associated with the at least two supported telecommunications systems for providing the wireless

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device with access to the at least two supported systems wherein the at least two systems comprise a GSM system and a WCDMA system,

In an analogous art, Vilhonen discloses a telecommunications apparatus which includes two access means for WCDMA and GSM systems and a common AGC control for each system. See paragraph [0053], lines 1-9 and paragraph [0063], lines 1-6. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the monitoring apparatus of Bongfeldt by associating the access means with WCDMA and GSM systems, as taught by Vilhonen, so that the advantages of gain control can be applied to a device that supports these popular existing systems and allow a user to these advantages of gain control on a single device that supports both wideband and narrowband telecommunications systems.

Regarding claim 2, Bongfeldt discloses that the circuit further attenuates a transmit signal present on the connection to the access means associated with the system that is in a connected state and the air interface to a receiver of a system of the at least two systems that is in an idle state (when the diplexer is switched to the transmit circuitry), wherein the system of the system that is in an idle state monitors the air interface. See paragraphs [0077] – [0080].

Regarding claim 3, Bongfeldt discloses that the circuit further provides a low attenuation between the air interface connection and a connection to a receiver of a system of the system that is in an idle state. See paragraphs [0073] – [0077].

Regarding claim 6, Bongfeldt discloses that the circuit further includes a diplexer 72, and wherein the setting means comprises a switch 96.

Regarding claim 10, Bongfeldt discloses that the system that is in a connected state controls the circuit (the uplink or downlink circuit is controlled by the respective gain control paths). See paragraph [0010].

Regarding claims 17 and 21, Bongfeldt discloses a method for monitoring a telecommunications system with respect to which a wireless device is in an idle mode while the wireless device is in a connected mode with respect to another telecommunications system including providing a circuit having an air interface connection, and setting the circuit to one of at least two states, wherein each state provides a different attenuation between the air interface connection and one of the connections.

Bongfeldt fails to disclose that the access means includes at least two access means associated with the at least two supported telecommunications systems for providing the wireless device with access to the at least two supported systems wherein the at least two systems comprise a GSM system and a WCDMA system,

In an analogous art, Vilhonen discloses a telecommunications apparatus which includes two access means for WCDMA and GSM systems and a common AGC control for each system. See paragraph [0053], lines 1-9 and paragraph [0063], lines 1-6. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the monitoring apparatus of Bongfeldt by associating the access means with WCDMA and GSM systems, as taught by Vilhonen, so that the advantages of gain control can be applied to a device that supports these popular existing systems and allow a user to these advantages of gain control on a single device that supports both wideband and narrowband telecommunications systems.

Regarding claim 18, Bongfeldt discloses that the circuit provides a low attenuation between the air interface connection and a connection to the access means associated with a system of the system with respect to which the wireless device is in a connected state. See paragraphs [0073] and [0077].

Regarding claim 19, Bongfeldt discloses that the circuit provides a low attenuation between the air interface connection and a connection to a receiver of a system of the system with respect to which the wireless device is in an idle mode. See paragraphs [0073] and [0077].

Regarding claim 20, Bongfeldt discloses that the circuit attenuates a transmit signal from the system in a connected mode to a receiver of a system of the at least two systems with respect to which the wireless device is in an idle mode. See paragraphs [0077] – [0080].

Regarding claim 22, Bongfeldt discloses that a receiver associated with the WCDMA system includes automatic gain control (AGC), and wherein the method further includes changing a characteristic of the receiver when the wireless device is in a connected state with respect to the GSM system. See paragraphs [0073] – [0077].

Regarding claim 23, Bongfeldt discloses the step of monitoring the telecommunications system while communicating via a second one of the at least two telecommunications systems. See paragraph [0075], lines 10-17.

Regarding claim 24, Bongfeldt discloses the step of controlling the circuit by a system which is in a connected state (the uplink or downlink circuit is controlled by the respective gain control paths). See paragraph [0010].

*Allowable Subject Matter*

3. Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 11-16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose an apparatus for monitoring supported systems, including a setting means which sets the circuit to a first state in which the circuit provides a low attenuation between the air interface connection and a connection to a receiver/transmitter of the WCDMA system, and a low attenuation between the air interface connection and a connection to a receiver of the GSM system, and a second state in which the circuit has a low attenuation between the air interface connection and a connection to a transmitter of the GSM system in combination with the other elements of claims 7 and 11.

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frank (US 6,774,857) discloses an apparatus including a switch that toggles between WCDMA and GSM mode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917.


The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sb

  
**GEORGE ENG**  
**PRIMARY EXAMINER**